

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

In The Matter Of:)
Eric Paul Zahn)
Laura Shana Zahn)
Debtors,) Case No. 08-61426-abf
US Bank, NA) Chapter 13
Movant,)

**CONSENT ORDER AND
STIPULATION IN SETTLEMENT OF MOTION FOR RELIEF**

COME NOW, the parties and agree to the following in the settlement of the
Movant's Motion for Relief:

1. Motion of Mortgagee to Request this Court to terminate stay order in regard to Respondent's realty was filed on or about December 9, 2008. The property known as 419 S Monte Vista Ave, Springfield, MO 65802, being the subject of said motion.
2. The parties agree that the total post-petition delinquency including fees and costs is \$2,789.43. A breakdown of the delinquency is as follows:

4 payments @ \$480.21	\$1,920.84
3 late charges @ \$18.36	\$55.08
Property Inspections	\$100.00
Suspense Balance	(\$36.49)
MFR Attorney Fees	\$600.00
MFR Attorney Costs	\$150.00
Total	\$2,789.43

Movant is not adequately protected if post-petition payments are not made by the
Debtors.

3. Monthly post-petition payments will be made by the Debtors as they become due under the terms of the original Note and Deed of Trust beginning January 1, 2009.

4. Further, Debtors will cure this post-petition delinquency by paying an additional \$464.91 per month for 6 consecutive months commencing January 15, 2009 and on the 15 of each month thereafter.

5. The terms of this Stipulation and the agreement reached between the parties shall remain in effect so long as the automatic stay remains in effect as to this Movant. In the event the automatic stay shall no longer remain in effect as to Movant, then this Stipulation shall become null and void. In the event the case is converted to another Chapter under Title 11 and pre-petition arrearages remain unpaid, Movant shall be granted relief from the automatic stay after providing the notice as set forth in the following paragraph.

It is **Ordered, Adjudged and Decreed** that the Debtors will comply with the herein specified conditions. In the event the Debtors fail to comply with any of the herein specified conditions, the Movant shall provide ten (10) days written notice to the Trustee; or the duly appointed Chapter 7 Trustee in the event of a conversion; the counsel for the Debtors and the Debtors of the breach of this Stipulation. In the event the default is not cured or no objections setting forth a valid defense are filed within these 10 days, the Movant shall be entitled to an Order granting Movant the relief requested in Movant's Motion and any other Orders which the Court deems just and proper. Motion for Relief or, in the Alternative, to Dismiss is denied without prejudice as settled.

/s/ Mark A. Rice
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/s/ Cynthia M. Woolverton
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DATED: 1/9/2009

SO ORDERED:

/s/Arthur B. Federman
ARTHUR B. FEDERMAN
U.S. BANKRUPTCY JUDGE

Copies Electronically mailed to:
Mark A. Rice
Richard Fink

Cynthia M. Woolverton is Directed to Serve Parties of Interest